

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

David MCNAIR

Case: 2:21-mj-30589

Assigned To : Unassigned

Assign. Date : 12/14/2021

CMP: USA v MCNAIR (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 14, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922 (g)(1)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

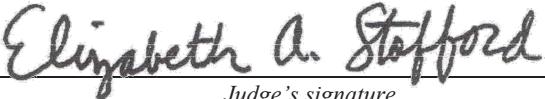

Sherri Reynolds
 Complainant's signature

Special Agent Sherri Reynolds, ATF
 Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: December 14, 2021

City and state: Detroit MI


Elizabeth A. Stafford
 Judge's signature

Hon. Elizabeth A. Stafford, US Magistrate Judge
 Printed name and title

AFFIDAVIT IN SUPPORT OF
COMPLAINT AND ARREST WARRANT FOR DAVID MCNAIR

I, Sherri Reynolds, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since December of 2009. I am currently assigned to the Detroit Field Division, Group I. I have had training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training.

2. The facts in this affidavit come from my personal observations and participation in this investigation, my training and experience, and information obtained from the Detroit Police Department, Michigan State Police, Drug Enforcement Administration, and other Agents and law enforcement personnel both generally and specifically involved in this investigation. I have not included each fact known to me concerning this investigation. Rather, I have set forth only the facts necessary to establish probable cause that David MCNAIR violated 18 U.S.C 922(g)(1) (felon in possession of a firearm). This violation occurred in the Eastern District of Michigan.

3. Based on the facts set forth in this affidavit, there is probable cause to believe that on December 14, 2021, MCNAIR was a felon in possession of a firearm, in violation of 18 U.S.C. 922(g)(1).

4. On December 14, 2021, ATF executed a federal search warrant at 25192 Chestnut Street, Taylor, MI. During the search of the residence, agents located a Glock, model 21, .45 caliber pistol bearing the serial number VSD094 in the second to top drawer in a dresser on the left side of the bedroom where MCNAIR and his significant other, Shantel Cottrell, both sleep. During an interview with Cottrell, she indicated the gun and the money found in the dresser did not belong to her.

5. Agents read MCNAIR his *Miranda* rights, which he indicated he understood and agreed to talk to law enforcement officers. MCNAIR initially denied knowledge of the firearm being in the dresser, but when confronted about lying, MCNAIR stated the firearm was his and it had been in the dresser for anywhere between 4-7 years. MCNAIR stated the gun stays in the drawer, so he didn't remember how long for sure. MCNAIR also indicated the money belonged to him that was found in the dresser. MCNAIR indicated he thought it was around \$50,000.00, but he was not sure.

6. I conducted a criminal history check, which revealed that MCNAIR has the following felony convictions:

-04/10/2007- Felony Controlled Substance possession of cocaine, heroin or narcotics 450-999 grams

-05/06/2005- Felony assault with dangerous weapon

8. On December 14, 2021, ATF Special Agent Jonathan Wickwire, an interstate nexus expert, verbally confirmed that a Glock, model 21, .45 caliber pistol bearing the serial number VSD094, would not have been manufactured in the State of Michigan and therefore had traveled in or affected interstate or foreign commerce.

CONCLUSION

9. Based on the above information, I have probable cause to believe David MCNAIR (B/M, DOB: XX/XX/1978), knowing that he had previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm, that is:

- Glock, model 21, .45 caliber pistol bearing the serial number VSD094 said firearm having previously traveled in interstate and/or foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1).

Sherri Reynolds
Special Agent Sherri Reynolds
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means

Elizabeth A. Stafford

Hon. Elizabeth A. Stafford
United States Magistrate Judge
Eastern District of Michigan

Dated: December 14, 2021